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6 **UNITED STATES DISTRICT COURT**  
7 **WESTERN DISTRICT OF WASHINGTON**  
8 **AT TACOMA**

9 EMPLOYEE PAINTERS' TRUST; WESTERN  
10 GLAZIERS RETIREMENT FUND; DISTRICT  
11 COUNCIL NO. 5 APPRENTICESHIP AND  
12 TRAINING TRUST FUND; THE PAINTERS  
13 AND ALLIED TRADES LABOR  
14 MANAGEMENT COOPERATION  
15 INITIATIVE; WASHINGTON  
16 CONSTRUCTION INDUSTRY SUBSTANCE  
17 ABUSE PROGRAM; WESTERN  
18 WASHINGTON GLAZIERS ORG FUND;  
19 WESTERN WASHINGTON GLAZIERS MRP,  
20 acting by and through their designated  
21 fiduciaries Denis Sullivan and Stacey Grund;  
22 INTERNATIONAL UNION OF PAINTERS  
23 AND ALLIED TRADES DISTRICT COUNCIL  
24 NO. 5,  
25

Plaintiffs,

vs.

20 PACIFIC NORTHWEST CONTRACTORS,  
21 INC., a Washington corporation; DANIEL A.  
22 JANKANISH, individually; STEVE COOPER,  
23 individually; ALLIANCE WINDOW AND  
24 DOOR LLC, a Washington limited liability  
25 company; DAVID A. JANKANISH,  
individually; AMERICAN CONTRACTORS  
INDEMNITY COMPANY, a California  
corporation; RLI INSURANCE COMPANY, an  
Illinois corporation; CITY OF TACOMA, a  
municipality; FISHER & SONS, INC. dba JTM

Case No.: 3:13-cv-05018-BHS

**STIPULATED MOTION AND ORDER  
FOR DISMISSAL WITH PREJUDICE**

[Defendant American Contractors Indemnity  
Company]

**Note on Motion Calendar:**  
March 25, 2014

ORDER

1 CONSTRUCTION, a Washington Corporation;  
2 HARTFORD FIRE INSURANCE COMPANY,  
3 a Connecticut corporation; CENTRAL  
4 WASHINGTON UNIVERSITY, a public  
University; KILLIAN CONSTRUCTION CO., a  
5 Missouri corporation; SAFECO INSURANCE  
COMPANY OF AMERICA, a New Hampshire  
corporation; DEPARTMENT OF ENTERPRISE  
6 SERVICES, an administrative agency for the  
State of Washington; TIGER  
7 CONSTRUCTION, LTD, a Washington  
corporation; TRAVELERS CASUALTY AND  
8 SURETY COMPANY OF AMERICA, a  
Connecticut corporation; EVERETT SCHOOL  
DISTRICT, SNOHOMISH COUNTY, STATE  
9 OF WASHINGTON, a Washington municipal  
corporation; SYNERGY CONSTRUCTION,  
10 INC., a Washington corporation; FIDELITY  
AND DEPOSIT OF MARYLAND, a Maryland  
corporation;

11 Defendants.

12  
13 Plaintiffs Employee Painters' Trust; Western Glaziers Retirement Fund; District Council No. 5  
14 Apprenticeship And Training Trust Fund; The Painters and Allied Trades Labor Management  
15 Cooperation Initiative; Washington Construction Industry Substance Abuse Program; Western  
16 Washington Glaziers Org Fund; Western Washington Glaziers MRP, acting by and through their  
17 designated fiduciaries Denis Sullivan and Stacey Grund; and International Union of Painters and Allied  
18 Trades District Council No. 5 ("Plaintiffs"), by and through their counsel, The Urban Law Firm and  
19 Christensen James & Martin, and Defendant American Contractors Indemnity Company ("Defendant"),  
20 by and through its counsel of record, hereby stipulate as follows: (1) Defendants stipulate to withdraw  
21 their Motion for Summary Judgment (Dkt. No. 89); and (2) Plaintiffs stipulate to dismiss their claims  
22 (Dkt. No. 1) against Defendant with prejudice, each side to bear its own fees and costs.

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THE URBAN LAW FIRM  
and  
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*Counsel for Plaintiffs*

ORDER

1 Dated: March 25, 2014

THE URBAN LAW FIRM

2 s/ Michael A. Urban

3 Michael A. Urban, Esq.  
4 Washington State Bar No. 20251  
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Attorney for Plaintiffs

7 Dated: March 25, 2014

8 YUSEN & FRIEDRICH

9 s/ John S. York, Jr.

10 John S. York, Jr., Esq.  
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F. (206) 545-6828  
firm@yusenandfriedrich.com  
14 Attorney for Defendant American Contractors  
15 Indemnity Company

16 IT IS SO ORDERED THIS 25<sup>th</sup> day of March, 2014.

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BENJAMIN H. SETTLE  
United States District Judge

ORDER

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and  
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